CC Docket No. 94-102 – January 2004 E911 Interim Report

Filed by: Commnet of Delaware, L.L.C.
 John Champagne
101 East Park Blvd., Suite 551
Plano, TX 75074

Date: January 15, 2004

To: Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

By Electronic Submission:

John Muleta, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

David Solomon, Chief
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

TIER III CARRIER INTERIM REPORT
AS OF JANUARY, 2004
CC Docket No. 94-102

Commnet of Delaware, L.L.C. ("Commnet-DE") hereby submits its E911 Interim Report, pursuant to *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers,* CC Docket No. 94-102, FCC 02-210, released July 26, 2002 (*Non-Nationwide Carrier E911 Order)*, *Public Notice*, DA 03-2113, released June 30, 2003, and *Order to Stay*, FCC 03-241, released October 10, 2003.

Carrier Identifying Information:

Carrier Name: Commnet of Delaware, L.L.C. – FRN 0004-6751-53

E911 Compliance Officer: John D. Champagne
101 East Park Blvd., Suite 551
Plano, TX 75074

E911 Implementation Information:

Commnet-DE is operating as a "carriers' carrier". Thus, Commnet-DE has no subscribers and will not have any subscribers. Based on this premise, Commnet-DE hereby reports as follows:

- Commnet-DE still has not received any Phase I or Phase II requests from PSAPs. Commnet-DE has obtained and installed all of the equipment and software necessary to meet any Phase I request from a PSAP. Additionally, Commnet-DE has retained the services of Intrado, Inc., as a consultant to assist it in contacting and working with any PSAP in its market that may request Phase I E911. Intrado is one of the most respected names in the E911 industry. Most of its personnel have over twenty years of experience working for PSAPs or in the PSAP field.

  Commnet-DE is dependent on a landline between the switch and the requesting PSAP for Phase I deployment, and will have to work with the local exchange carrier ("LEC") to have a landline installed when the time comes. Commnet-DE's system operates in rural areas, and it can take a LEC as long as 12 or even 18 months to install a new landline in a rural area. Thus, there is the substantial possibility that a PSAP's request would remain outstanding longer than six months while Commnet-DE awaits the installation of a landline connection to the PSAP. Notably, because Commnet-DE has no subscribers, Commnet-DE does not have the means to fund any Phase I implementation and recurring costs via pass-throughs to subscribers.

- Commnet-DE elected a handset-based solution. Commnet-DE is using analog and TDMA technology, and is considering migration to GSM technology.

- Commnet-DE has installed all of the necessary switch hardware and software for Phase I E911 deployment. Commnet-DE still anticipates a significant problem with its Phase II E911 deployment. There is currently no Phase II-compliant handset-based solution available for either TDMA or GSM, and it appears that one will not become available any time in the near future. Moreover, Commnet-DE remains unable to switch to a network-based solution, because it is technically impossible. The only Phase II-compliant network-based solutions available are based on either triangulation techniques, which can work only when the network is receiving location information on the involved mobile unit from three different cell sites, or angle of arrival techniques ("AOA"), which can work only when the network is receiving location information from at least two different cell sites.

  Commnet-DE operates only in remote, rural areas, and the cell sites are spread far apart. There is little overlap between any two cells, and even less overlap among three cells. Thus, only a small portion of Commnet-DE's service area is susceptible to either triangulation or AOA techniques; the bulk of the service area is not susceptible to such techniques. Therefore, even if Commnet-DE were to implement Phase II E911, it would never be able to reach the required 95% accuracy level on a system-wide basis, as prescribed by §20.18 of the Commission's rules.

- Commnet-DE obtained ALI-capable handsets from Airbiquity prior to the October 1, 2002 deadline, such that they were available if requested. Commnet-DE did not encounter any problems in obtaining or negotiating agreements to obtain these ALI-capable handsets. Commnet-DE added no new subscribers after October 1, 2002. As previously discussed, Commnet-DE is now operating entirely as a "carriers' carrier". Commnet-DE currently has no subscribers, but, rather, serves only the customers of other carriers. Commnet-DE will not have any future subscribers.

- Commnet-DE does not anticipate that full Phase II service will ever be available in its network, for the reasons discussed above pertaining to the issues with the permanent absence of any available Phase II TDMA handsets and the impossibility of employing a network-based solution, both of which are beyond Commnet-DE's control. Even if Commnet-DE were to migrate to GSM technology, there is currently no GSM handset-based technology available, and vendor predictions of future development are unreliable. Commnet-DE has a request pending with the Commission for a permanent waiver of the Phase II requirements.

- With regard to meeting the ultimate implementation date of December 31, 2005, see above.